IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE THOTTATHIL B.RADHAKRISHNAN

MONDAY, THE 17TH SEPTEMBER 2007 / 26TH BHADRA 1929

OP.No. 16926 of 1999(M)

PETITIONER:

BALAKRISHNA PILLAI,
"DWARAKA",
MANNADIYIL PADINJARUKIZHAKKEMURI,
KADAMBANADU.

BY ADV. SMT.V.P.SEEMANDINI.

RESPONDENTS:
----

1. **STATE OF KEALA, REP. BY**
   SECRETARY TO GOVERNMENT,
   GEN. EDUCATION F DEPARTMENT,
   GOVT. SECRETARIAT,
   THIRUVANANTHAPURAM.

2. **DIRECTOR OF PUBLIC INSTRUCTIONS,**
   THIRUVANANTHAPURAM.

3. **ASSISTANT EDUCATIONAL OFFICER,**
   ADOOR.

4. **N. KUTTAPPAN ACHARI,**
   KUNNATHAZHIYATH HOUSE,
   MANNADY.P.O.

5. **R. RAJENDRAN NAIR, MANAGER,**
   V.T.M.U.P. SCHOOL,
   MANNADY.P.O.

prv.

O.P. NO. 16926/1999:

6. P.T. MATHEW, SECRETARY,
V.T.M. U.P. SCHOOL,
MANAGING COMMITTEE, MANNADY,
ADOOR.

BY ADV. SRI.S.MUHAMMED HANEEFF,
GOVT. PLEADER SMT. N. SUDHA.

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 17/09/2007,THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

prv.

ORDER ON C.M.P. NO. 27632/1999 IN O.P. NO. 16926/1999

DISMISSED

17/09/2007. **SD/- THOTTATHIL B.RADHAKRISHNAN, JUDGE.**

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P.1: COPY OF THE DEED NO. 2757 DTD. 12/05/1950.

EXT.P.2: COPY OF THE ORDER OF D.P.I. DTD. 30/11/1998.

EXT.P.3: COPY OF THE JUDGMENT DTD. 21/01/1999 IN O.P. 1492/99.

EXT.P.4: COPY OF THE ORDER DTD. 19/05/1999 OF THE R.1.

EXT.P.5: COPY OF THE ARGUMENT NOTES SUBMITTED TO THE R.1. DTD. 19/02/1999.

EXT.P.6: COPY OF THE DECREE IN S.A. 813/95 DTD. 31/01/1996.

RESPONDENT'S EXHIBITS: NIL.

//TRUE COPY//

prv.

THOTTATHIL B.RADHAKRISHNAN, J.

O.P.No.16926 OF 1999

Dated this the 17th day of September, 2007

JUDGMENT

Petitioner claims to be the son of one of the life members of a committee constituted as per a document dated 12.5.1950 for the purpose of establishing a U.P. school. He alleged that after the demise of the founder members, there is gross mis-management. He, accordingly, requested that he may be appointed as the Manager. That request stands rejected by the impugned Ext.P2 by stating clear and cogent reasons. The Government had also rejected the claim of the petitioner as per Ext.P4. I find no legal infirmity or jurisdictional error in the impugned decisions.

The writ petition fails. The same is accordingly dismissed. No costs.

Sd/-

THOTTATHIL B.RADHAKRISHNAN,
Judge

kkb.

==========

THOTTATHIL B. RADHAKRISHNAN, J

O.P.NO.16926 OF 1999

JUDGMENT

17th SEPTEMBER, 2007.

==========